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UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

	)	MASTER FILE NO.: C-03-4999-MJJ
	)	
In re GILEAD SCIENCES SECURITIES	)	<u>CLASS ACTION</u>
LITIGATION	)	
	)	<b>STIPULATION AND <del>[PROPOSED]</del></b>
	)	<b>ORDER RE FILING OF THE FOURTH</b>
	)	<b>AMENDED COMPLAINT AND BRIEFING</b>
	)	<b>SCHEDULE FOR MOTION TO DISMISS</b>
This Document Relates To:	)	<b>SAME</b>
	)	
ALL ACTIONS	)	[N.D. CAL. LOCAL RULES 6-2, 7-12]
	)	

1           Lead plaintiffs Trent St. Clare and Terry Johnson (“plaintiffs”) and defendants Gilead  
2 Sciences, Inc., John F. Milligan, Mark L. Perry, Norbert W. Bischofberger, Anthony Carraciolo,  
3 and William A. Lee (“defendants”) hereby stipulate through their counsel, and the Court orders, as  
4 follows:

5           **WHEREAS**, on October 11, 2005 the Court issued its Order granting defendants’ 12(b)(6)  
6 motion to dismiss with leave to amend and allowing plaintiffs to file a fourth amended complaint  
7 (the “Amended Complaint”) on or before November 10, 2005;

8           **WHEREAS**, counsel for plaintiffs and defendants have agreed, subject to Court approval,  
9 to extend the time for filing the Amended Complaint and to establish a briefing schedule for  
10 defendants’ motion to dismiss the Amended Complaint;

11           **WHEREAS**, due to disruptions in counsel’s business due to Hurricane Wilma, the  
12 intervening Thanksgiving holiday, and the other professional commitments of counsel, counsel for  
13 plaintiffs and defendants have agreed, subject to Court approval, that plaintiffs shall file the  
14 Amended Complaint on or before December 2, 2005. Defendants shall file their motion to dismiss  
15 by December 23, 2005, plaintiffs shall file their opposition by January 17, 2006 and defendants  
16 shall file their reply by January 31, 2006; and

17           **WHEREAS**, counsel for plaintiffs and defendants have agreed, subject to Court approval,  
18 that defendants’ motion to dismiss shall be set for hearing on February 7, 2006 at 9:30 a.m., or,  
19 alternatively, on February 14, 2006, at 9:30 a.m..

20           **IT IS HEREBY STIPULATED AND AGREED** by and between plaintiffs and  
21 defendants, through their respective counsel, that the Amended Complaint shall be filed on or  
22 before December 23, 2005, and the following briefing schedule shall apply for defendants’ motion  
23 to dismiss the Amended Complaint: defendants’ opening brief due December 23, 2005; plaintiffs’  
24 opposition due January 17, 2006; defendants’ reply due January 31, 2006; and a hearing shall be set  
25 for February 7, 2006 at 9:30 a.m., or, alternatively, at February 14, 2006 at 9:30 a.m.  
26  
27  
28

DATED: November 7, 2005

KAPLAN FOX & KILSHEIMER LLP

By: /s/

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Co-Lead Counsel for Plaintiffs

DATED: November 7, 2005

COOLEY GODWARD LLP

By: /s/

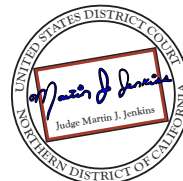
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C. Martin, John F. Milligan, Mark L. Perry, Norbert W.  
Bischofberger, Anthony Carraciolo, and William A.  
Lee

**[PROPOSED] ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED that, good cause appearing, plaintiffs shall file the Amended Complaint on or before December 2, 2005. Defendants shall file their motion to dismiss by December 23, 2005, plaintiffs shall file their opposition by January 17, 2006 and defendants shall file their reply by January 31, 2006; and a hearing shall be set for ~~[February 7, 2006]~~ or [February 14, 2006] at 9:30 a.m.

DATED: 11/08/05



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Hon. Martin J. Jenkins  
United States District Judge